

PRELIMINARY AMENDMENT
CHAPTER I of PCT/ES01/00080

Please add the following new claims:

-- Claim 7. A method for producing *in vivo* antioxidation in a living subject which comprises at least the following steps:

- (A) fermenting a milk or a skim milk with *Lactobacillus plantarum* having Mn-catalase activity in the presence of a tea extract or a powdered tea obtainable from the tea extract to produce a fermented milk,
- (B) feeding the fermented milk of step (A) to the living subject,
- (C) producing superoxide dismutase activity and catalase activity in the living subject, and
- (D) eliminating superoxide and hydrogen peroxide in said living subject so as to effect *in vivo* antioxidation in said living subject.

Claim 8. A method for producing *in vivo* antioxidation in a living subject which comprises at least the following steps:

- (A) fermenting a mixed solution of skim milk and sugar with *Lactobacillus plantarum* having Mn-catalase activity in the presence of a tea extract or a powdered tea obtainable from the tea extract to produce a lactic acid bacteria beverage,
- (B) feeding the lactic acid bacteria beverage of step (A) to the living subject,
- (C) expressing superoxide dismutase activity and catalase activity in the living subject, and
- (D) eliminating superoxide and hydrogen peroxide in said living subject so as to effect *in vivo* antioxidation in said living subject.

PRELIMINARY AMENDMENT
CHAPTER I of PCT/ES01/00080

Claim 9. The method for *in vivo* antioxidation according to Claim 7, wherein the *Lactobacillus plantarum* having Mn-catalase activity is *Lactobacillus plantarum* ATCC 14431.

a19
Cont
Claim 10. The method for *in vivo* antioxidation according to Claim 8, wherein the *Lactobacillus plantarum* having Mn-catalase activity is *Lactobacillus plantarum* ATCC 14431. --

REMARKS

The specification has been amended to insert formal matter and make the specification consistent with the parent applications. Claims 1-6 have been cancelled and new Claims 7-10 have been added.

Support for new Claims 7-10 can be found in cancelled Claims 8-9 and 11-12 of Parent Application No. 09/559,418 (see the Restriction Requirement in the Office Action dated July 2, 2001 (Paper No. 4)). Hence, the amendments to the specification and the addition of new Claims 7-10 do not constitute new matter, and thus entry is respectfully requested.

The Examiner is invited to contact the undersigned at his Washington telephone number on any questions which might arise.

Respectfully submitted,

Gordon Kit

Registration No. 30,764

SUGHRUE MION, PLLC

2100 Pennsylvania Avenue, N.W.

Washington, D.C. 20037-3202

Telephone: (202) 293-7060

Facsimile: (202) 293-7860

Date: December 21, 2001